

ORDINANCE NO. 2007 -031

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE 2005-034, WHICH AMENDED THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; BY INCLUDING A SECTOR PLAN FOR THE CENTRAL WESTERN COMMUNITIES.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County adopted an amendment to the Comprehensive Plan on August 22, 2005, in Ordinance No. 2005-034; and

WHEREAS, the Department of Community Affairs issued a statement of intent to find the Comprehensive Plan amendment in Ordinance 2005-034 Not in Compliance on October 31, 2005 ; and

WHEREAS, the Department of Community Affairs filed a Petition on November 15, 2005, for an administrative hearing on its allegations that Ordinance 2005-034 did not comply with state statute and administrative rule; and

WHEREAS, several parties intervened in the administrative challenge, both in opposition and in support of the Sector Plan Amendment; and

WHEREAS, Palm Beach County unsuccessfully attempted to mediate with the Department of Community Affairs and the other intervenors to resolve the allegations set forth in the Petitions; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, has determined that the Sector Plan, as adopted in Ordinance 2005-034 no longer reflects the intent of the Board for planning efforts in the Central Western Communities;

WHEREAS, this Ordinance repeals Ordinance No. 2005-034, as adopted on August 22, 2005, that amended Palm Beach County's Comprehensive Plan; but never became effective, as a result of the pending administrative challenge;

1 **WHEREAS**, the Palm Beach County Board of County Commissioners, as
2 the governing body of Palm Beach County, conducted a public hearing
3 pursuant to Chapter 163, Part II, Florida Statutes, on November 26,
4 2007, to consider repeal of Ordinance 2005-035;

5 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
6 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

7 **Part I. Repeal of Ordinance 2005-034**

8 Ordinance 2005-034 is hereby repealed.

9 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
10 Beach County, on the 26th day of November, 2007.

11 ATTEST:
12 SHARON R. BOCK, CLERK
13 & COMPTROLLER

 PALM BEACH COUNTY, FLORIDA,
 BY ITS BOARD OF COUNTY COMMISSIONERS

14 By: *Sharon R. Bock*
15 Deputy Clerk

16 By: *Addie L. Greene*
17 Addie L. Greene, Chairperson

18 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

19 *Rose D. P. R. S.*
20 COUNTY ATTORNEY

21 Filed with the Department of State on the 4th day of
22 December, 2007.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk and Comptroller
certify this to be a true and correct copy of the original
filed in my office on November 26, 2007
dated at West Palm Beach, FL 12/11/07
By: *Nicole Brown*
Deputy Clerk